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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE ELI'S CHEESECAKE COMPANY,

Plaintiff,

- against -

Index No.: 07 Civ. 3317(SHS)

STIPULATION OF
DISCONTINUANCE

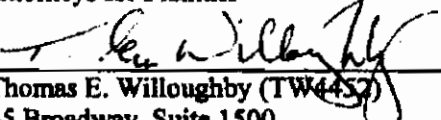
M/V "KUALA LUMPUR EXPRESS", *in rem*,
HAPAG-LLOYD CONTAINER LINE GmbH,
HAMBURG, and FANAKOS MARITIME CORP.,
in personam

Defendants.
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IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys for the parties appearing herein, that the above-entitled action having been settled, that it be and the same hereby is dismissed with prejudice, but without cost to any party subject to being re-opened within ninety (90) days after dismissal, should settlement funds not be received.

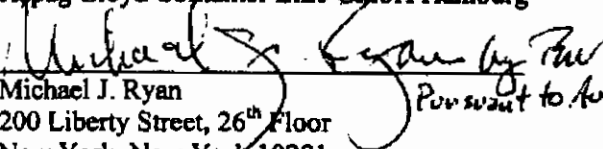
Dated: June 8, 2007

HILL RIVKINS & HAYDEN LLP
Attorneys for Plaintiff

By: 
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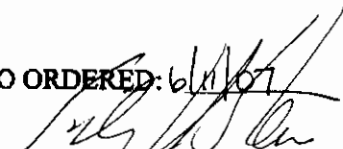
HILL BETTS & NASH LLP
Attorneys for Defendant,
Hapag-Lloyd Container Line GmbH Hamburg

By:


Michael J. Ryan
200 Liberty Street, 26th Floor
New York, New York 10281
(212) 589-7516

Pursuant to Authority

SO ORDERED: 6/11/07


SIDNEY H. STEIN,
United States District Judge

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